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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF LINDSAY COOPER
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S ADMINISTRATIVE MOTION TO
FILE UNDER SEAL PORTIONS OF ITS
SUPPLEMENTAL OFFER OF PROOF
REGARDING OTTO TRUCKING, AND
SUPPLEMENTAL BRIEF IN SUPPORT
OF BOTH ITS OPPOSITION TO OTTO
TRUCKING'S MOTION FOR SUMMARY
JUDGMENT (DKT. 1526-4) AND ITS
OPPOSITION TO OTTO TRUCKING'S
MOTION FOR A SEPARATE TRIAL
(DKT. 1934)**

I, Lindsay Cooper, declare as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

I make this declaration in support of Waymo’s Administrative Motion to File Under Seal Portions of Its Supplemental Offer of Proof Regarding Otto Trucking, and Supplemental Brief in support of both its Opposition to Otto Trucking’s Motion for Summary Judgment (Dkt. 1526-4) and its Opposition to Otto Trucking’s Motion for a Separate Trial (Dkt. 1934) (collectively, “Supplemental Otto Trucking Brief”), filed concurrently herewith (the “Administrative Motion”). The Administrative Motion seeks an order sealing the following materials filed concurrently herewith:

Document	Portions to Be Filed Under Seal	Designating Party
Waymo’s Supplemental Otto Trucking Brief	Highlighted Portions	Waymo (green highlighting); Defendants (blue highlighting)
Exhibit 1 to the Nardinelli Declaration	Entire Document	Defendants and/or Stroz Friedberg
Exhibit 2 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 3 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 4 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 5 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 6 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 7 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 8 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 9 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 10 to the Nardinelli Declaration	Entire Document	Defendants

Exhibit 11 to the Nardinelli Declaration	Entire Document	Waymo (green highlighting); Defendants
Exhibit 12 to the Nardinelli Declaration	Entire Document	Waymo (green highlighting); Defendants
Exhibit 13 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 14 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 15 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 16 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 17 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 18 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 19 to the Nardinelli Declaration	Entire Document	Defendants
Exhibit 20 to the Nardinelli Declaration	Entire Document	Defendants

2. Specifically, the green highlighted portions of Waymo's Motion and Exhibits 11-12 contain or refer to trade secret information or confidential business information, which Waymo seeks to seal.

3. The green highlighted portions of Waymo's Motion and Exhibits 11-12 contain, reference, and/or describe Waymo's trade secrets. The information Waymo seeks to seal includes the confidential design and functionality of Waymo's proprietary autonomous vehicle system, including its source code, algorithms, and/or LiDAR designs, which Waymo maintains as secret. I understand that these trade secrets are maintained as secret by Waymo (Dkt. 25-47) and that the trade secrets are valuable to Waymo's business (Dkt. 25-31). The public disclosure of this information would give Waymo's competitors access to descriptions of the functionality or features of Waymo's autonomous vehicle system. If such information were made public, I understand that Waymo's competitive standing would be significantly harmed.

4. Waymo's request to seal is narrowly tailored to those portions of Waymo's Motion and exhibits thereto that merit sealing.

5. Waymo only seeks to seal the portions of Waymo's Motion and exhibits thereto identified in the table above as designated by Defendants because Waymo believes such information is considered confidential or non-public by Defendants and/or third party Stroz Friedberg.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct, and that this declaration was executed in San Francisco, California, on October 23, 2017.

By /s/ *Lindsay Cooper*

Lindsay Cooper

Attorneys for WAYMO LLC

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Lindsay Cooper.

/s/ Melissa J. Baily

Melissa J. Baily